

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WESTPORT INSURANCE CORPORATION.

Plaintiff,

- against -

THE HAMILTON WHARTON GROUP, INC., WALTER B. TAYLOR,
individually,

and

INTER-COMMUNITY MEMORIAL HOSPITAL OF NEWFANE, INC.,
INTEGRATED CARE SYSTEMS, LLC, A&T HEALTHCARE, LLC; AARON
SELIGSON, MARTIN S. ROTHMAN, ABRAHAM V. FRIEDMAN, ESTATE OF
HERBERT A. ROTHMAN, ESTATE OF BERNARD FEUER, PARTNERS d/b/a
BROOKHAVEN BEACH HEALTH RELATED FACILITY; AARON SELIGSON,
MARTIN S. ROTHMAN, ABRAHAM V. FRIEDMAN, ESTATE OF HERBERT A.
ROTHMAN, ESTATE OF BERNARD FEUER, PARTNERS d/b/a ROCKVILLE
RESIDENCE MANOR; AMERICAN GERI-CARE, INC.; BEZALEL NURSING
HOME COMPANY, INC.; CREATIVE LIFESTYLES, INC.; PREFERRED
HEALTH CARE SERVICES INC. n/k/a COTTAGE HOMECARE SERVICES,
INC.; EAST NEW YORK URBAN YOUTH CORPS; E.R.N.H. a/k/a EAST
ROCKAWAY NURSING HOME; ELMHURST CARE CENTER, INC.; GEORGE
KATZ AND SUZIE KLEIN d/b/a THE NEW BRIGHTON MANOR OF LONG
BEACH HOME FOR ADULTS; GREATER NEW YORK HOME CARE
SYSTEMS, INC.; HIGHLAND CARE CENTER, INC.; HUDSON VALLEY HOME
CARE, INC.; KESER NURSING & REHABILITATION CENTER, INC.; LOGAN
& LOGAN, INC. f/k/a CEDAR LODGE NURSING HOME; NEW SOUTH SHORE
MANOR; NEW YORK COUNTY SERVICES REVIEW ORGANIZATION;
NYACK MANOR NURSING HOME; OYSTER BAY MANOR SENIOR
RESIDENCE, INC.; PERSONNEL MANAGEMENT SERVICES, LLC; QUALITY
HEALTHCARE, INC.; ROYAL HEALTH CARE SERVICES, INC.; ST.
MICHAEL'S HOME; THE DENNELISSE CORPORATION; THE ESTATE OF
PAUL C. MAGGIO d/b/a PATCHOGUE NURSING CENTER; UNIQUE PEOPLE
SERVICES, INC.; UNITED PRESBYTERIAN AND REFORM ADULT
MINISTRIES d/b/a FLUSHING HOUSE; PRAXIS HOUSINGINITIATIVES, INC.;
PRAXIS HOUSING INITIATIVES d/b/a THE BARBOUR HOTEL;
ALTERNATIVE STAFFING, INC.; B&H HEALTHCARE SERVICES, INC. d/b/a
NURSING PERSONNEL; BARKSDALE MANAGEMENT CORP.; BRIARWOOD
MANOR, INC.; BRONXWOOD HOME FOR THE AGED, INC.; CARING
PROFESSIONALS, INC.; CEDAR MANOR, INC.; COHME, INC.; CROWN
NURSING HOME ASSOCIATES, INC.; DENTSERV DENTAL SERVICES, P.C.;
DESMOND MCMANUS d/b/a BAYSHORE HOME FOR ADULTS; TELFORD
HOME ASSISTANCE, INC. d/b/a EXTENDED CARE HEALTH SERVICES;
EXTENDED NURSING PERSONNEL CHHA, INC.; GEM HEALTH CARE
EMPLOYMENT AGENCY, INC.; HOLLISWOOD CARE CENTER, INC.;
INTERIM HOUSING, INC.; MEADOWBROOK CARE CENTER, INC.; NASSAU-
SUFFOLK HOME CARE & AIDES, INC.; RECREATIONAL SERVICES, INC.;
UNION PLAZA NURSING HOME, INC.; VISITING NURSE REGIONAL
HEALTH CARE SYSTEM, INC.; and WEST SIDE FEDERATION FOR SENIOR
AND SUPPORTIVE HOUSING, INC.;

Defendants.

Docket No. 10 CV
2188 (RMB)

A M E N D E D
N O T I C E O F
A P P E A L

THE HAMILTON WHARTON GROUP, INC. and WALTER B. TAYLOR,
individually,

Third-Party Plaintiffs,

- against -

IAAC, INC. and INDEPENDENT INSURANCE AGENTS & BROKERS OF NEW
YORK, INC.,

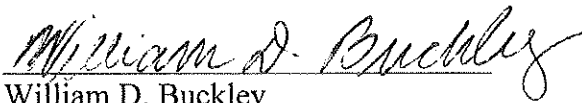
Third-Party Defendants.

PLEASE TAKE NOTICE that plaintiff WESTPORT INSURANCE CORPORATION hereby appeals to the United States Court of Appeals for the Second Circuit from the Amended Judgment of the Clerk of the Court, dated March 2, 2011; from the final Decision and Order of United States District Judge Richard M. Berman, dated February 23, 2011, which granted defendants' motion for summary judgment in this action; and from the Order of United States District Judge Richard M. Berman, dated March 31, 2011, which awarded attorneys' fees in the amount of \$159,477.50, and costs in the amount of \$26,317.91, to the attorneys for defendants THE HAMILTON WHARTON GROUP, INC. and WALTER B. TAYLOR.

Dated: New York, New York
April 19, 2011

Yours, etc.,

GARBARINI & SCHER, P.C.

By: 
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Praxis Housing Initiatives d/b/a The
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Inc.; Creative Lifestyles, Inc.; The Dennelisse Corporation;
E.R.N.H. Corporation, Inc. d/b/a East Rockaway Progressive
Care Facility s/h/a E.R.N.H. a/k/a East Rockaway Nursing
Home; Elmhurst Care Center, Inc.; Highland Care Center,
Inc.; Hudson Valley Home Care, Inc.; The New Brighton
Manor of Long Beach Home for Adults; New South Shore
Manor; Nyack Manor Nursing Home; Patchogue Nursing
Center, Inc. s/h/a The Estate of Paul C. Maggio d/b/a
Patchogue Nursing Center; Royal Health Care Services, Inc.;
Unique People Services, Inc.; Flushing House United
Presbyterian & Reformed Adult Ministries, Inc. s/h/a United
Presbyterian and Reform Adult Ministries d/b/a Flushing
House, and New York County Health Services Review

Organization

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Barksdale Management Corp.; Briarwood Manor, Inc.; Bronxwood Home for the Aged,
Inc.; Caring Professionals, Inc.; Cedar Manor, Inc.; COHME, Inc.; Crown Nursing Home
Associates, Inc.; Dentserv Dental Services, P.C.; Desmond McManus d/b/a Bayshore Home
for Adults; Telford Home Assistance, Inc. d/b/a Extended Care health Services; Extended
Nursing Personnel CHHA, Inc.; Gem Health Care Employment Agency, Inc.;
Holliswood Care Center, Inc.; Interim Housing, Inc.; Meadowbrook Care Center, Inc.;
Nassau-Suffolk Home Care & Aides, Inc.; Recreational Services, Inc.; Union Plaza Nursing
Home, Inc.; Visiting Nurse Regional Health Care System, Inc.; and West Side Federation
for Senior and Supportive Housing, Inc.*
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NO APPEARANCES FOR DEFENDANTS

*Aaron Seligson, Martin S. Rothman, Abraham V. Friedman,
Estate of Herbert A. Rothman, Estate of Bernard Feuer,
Partners d/b/a Brookhaven Beach Health Related Facility;
Aaron Seligson, Martin S. Rothman, Abraham V. Friedman,
Estate of Herbert A. Rothman, Estate of Bernard Feuer,
Partners d/b/a Rockville Residence Manor; American Geri-Care,
Inc.; Preferred Health Care Services Inc. n/k/a Cottage Homecare
Services, Inc.; East New York Urban Youth Corps; George Katz
and Suzie Klein d/b/a Greater New York Home Care Systems, Inc.;
Keser Nursing & Rehabilitation Center, Inc.; Logan & Logan, Inc.
f/k/a Cedar Lodge Nursing Home; Oyster Bay Manor Senior
Residence, Inc.; Personnel Management Services, LCC; Quality
Healthcare, Inc.; and St. Michael's Home*

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AMENDED NOTICE OF APPEAL

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